

From: [Halasz, Stephen \(Austin,TX-US\)](#)
To: [Rafael Casanova/R6/USEPA/US@EPA](#)
Cc: [rbergner@rflaw.net](#); [Gloria-Small Moran/R6/USEPA/US@EPA](#); [Carlos Sanchez/R6/USEPA/US@EPA](#); [Gary Moore/R6/USEPA/US@EPA](#)
Subject: RE: Falcon Refinery
Date: 03/29/2011 11:19 AM

Rafael,

I have spoken with Mr. Bergner and we will be available at 11:00 tomorrow (Wednesday), please provide the call in number. We look forward to discussing the Falcon Refinery.

From: Casanova.Rafael@epamail.epa.gov [mailto:Casanova.Rafael@epamail.epa.gov]
Sent: Tuesday, March 29, 2011 11:11 AM
To: Halasz, Stephen (Austin,TX-US)
Cc: rbergner@rflaw.net; Moran.Gloria-Small@epamail.epa.gov; Sanchez.Carlos@epamail.epa.gov; Moore.Gary@epamail.epa.gov
Subject: Re: Falcon Refinery

Stephen, Gloria and I are available for a conference call any time after 10:30 pm on Wednesday. Please let me know your availability and I'll schedule a call-in number.

Rafael Casanova, P.G. (Remedial Project Manager, Environmental Scientist)
U.S. Environmental Protection Agency, Region 6
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Assigned Sites for Investigation and Remediation: (<http://www.epa.gov/earth1r6/6sf/6sf-tx.htm>):
Brine Service Company Superfund Site (Corpus Christi, Texas)
Falcon Refinery Superfund Site (Ingleside, Texas)
Many Diversified Interests, Inc. Superfund Site (Houston, Texas)
Palmer Barge Line Superfund Site (Port Arthur, Texas)
State Marine of Port Arthur Superfund Site (Port Arthur, Texas)

From: "Halasz, Stephen (Austin,TX-US)" <SHalasz@trcsolutions.com>
To: Rafael Casanova/R6/USEPA/US@EPA
Cc: "rbergner@rflaw.net" <rbergner@rflaw.net>
Date: 03/29/2011 07:58 AM
Subject: Falcon Refinery



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Rafael,

NORCO is disappointed by the EPA's decision to assume operational responsibility for the RI/FS at the Falcon Refinery. NORCO notified the EPA that work at the refinery, including Phase II of the RI/FS Field Sampling Plan, was to commence. The EPA informed NORCO that proof of TRC's experience at Superfund sites was required and that the proof required approval, that an updated Quality Management Plan, Quality Assurance Project Plan and Field Sampling Plan were required. Proof of TRC's experience was provided to the EPA on February 16th, the EPA did not provide any comment.

On February 23rd EPA sent an email indicating that the EPA wanted to discuss the RI/FS activities at either a face meeting or on a conference call. NORCO elected to have the discussion via conference call and the EPA volunteered to schedule the call.

The EPA then notified NORCO that the week of March 14th would be the first opportunity for a conference call and requested meeting times, NORCO responded that we would make ourselves available as we were anxious to get started with the site work.

The EPA scheduled a call for the 16th then cancelled since some members were unavailable. NORCO was then provided a calendar of available times to have the call and selected times that included availability of key EPA staff. Despite selecting several times during the week of March 21 the EPA elected to cancel the call due to the inability of EPA staff to be available.

Then on March 28th the EPA notified NORCO that they were taking over the RI/FS, without discussion, after having delayed the start of the Phase II sampling plan.

NORCO has developed all the reports that were requested. As the EPA is aware the documents include project schedules which are required in the Field Sampling Plan and the Quality Assurance Project Plan. Without knowledge of how long the review process was going to be NORCO did not wish to propose the project schedules. NORCO has been prepared to provide the plans however was waiting on the EPA requested conference call. Had we known the difficulty in coordinating EPA staff we would have provided the reports. In fact we had hoped to be well along with the Phase II Field Sampling Plan.

Last Friday the 25th I was at the refinery to coordinate activities with the laboratory and drilling operations which are ready to go. The refinery looked great, there was no evidence of grossly stained soil and much of the oil that at one time was evident on the tanks was now gone.

The AOC's indicate that a dispute resolution should start with the Remedial Project Manager and the Project Coordinator. As a result I welcome your call to discuss the issue. NORCO will vigorously defend its role in completing the RI/FS.

The recent action of the EPA jeopardizes the sale of refinery, which will lead to the expedited cleanup of the site, further development of the property, the infusion of large amounts of money to the area, the creation of construction jobs and jobs to maintain a crude oil storage terminal.

I have attached the Quality Management Plan and will send the remaining plans via an ftp site due to the sizes of the files. The SOPs are provided in the QAPP.

I hope that we can have a meaningful discussion.

Stephen Halasz P.G.
Program Manager

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